REMARKS/ARGUMENTS

Arguably, the previous version of claim 1 would not necessarily exclude a significant quantity of exposed hydrophobic fibers on the surface of the belt. The currently amended version of claim 1, however, makes it clear that "substantially all of the fibers exposed on . . . [the] wet paper web side surface are hydrophilic." This language distinguishes the Applicant's invention from the belt described in Hagfors et al. U.S. patent application publication 2002/0137416, on which the rejection in this case under 35 U.S.C. §102(b) is based.

As pointed out by the Court of Appeals for the Federal Circuit in *In re Paulsen*, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994), for a reference to be applied as an anticipation under 35 USC §102, it "must be enabling and describe the applicant's claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention." It follows that the Office must interpret a prior art reference in the manner in which it would have been understood by a person skilled in the art. This is especially important when interpreting a prior art reference when the description in the reference is less than clear, as is the case in Hagfors. Moreover, an inadvertent and unintended disclosure in a reference is not an anticipation if a person skilled in the art would perceive it as a mistake. As stated by the Court of Appeals for the Third Circuit in Edison Electric Light Company v. Novelty Incandescent Lamp Co., 167 F. 977 (3rd. Cir. 1909), "Equally ineffective is it to urge that the

Edison construction is disclosed by the Lemp and Wightman patent (401,444), where, by an error of the draftsman in one of the figures, the outer section of the leading in wire is apparently made to extend into the glass. The inventors had no such conception, and no one reading the patent would get any idea of it, if, indeed, he would not perceive and correct the mistake."

We respectfully submit that Hagfors, when interpreted in the manner in which it would have been understood by a person skilled in the art, does not describe all of the elements of Applicant's claim 1.

At the outset, it should be noted that the present invention is concerned primarily with achieving reliable attachment of a wet paper web to the transfer belt as the web and belt move out of the press part of a papermaking machine. (See applicants' paragraphs 0010 and 0011.) Hagfors, on the other hand is more concerned with *detachment*, and uses two different kinds of fibers to achieve this result. (See Hagfors' paragraphs 0006 and 0007.) Thus, insofar as the general objectives of the applicants and Hagfors are concerned, Hagfors teaches away from the applicants' invention. The applicants of course recognize that "teaching away" is generally not germane to an anticipation rejection. However, where the reference can only be anticipatory if interpreted in one of two or more possible ways, plainly, the teachings of the reference may be taken into account in determining whether or not the one interpretation is the correct interpretation. The fact that Hagfors is primarily

concerned with detachment should be taken into account in interpreting the content of Hagfors' disclosure and in determining how it would have been understood by one skilled in the art.

According to Hagfors' description, a transfer belt surface is provided with hydrophilic and hydrophobic areas, formed by providing the fiber batt layer with at least two fibers having different surface properties. See, for example, paragraphs 0007, 0008, 0013, and claim 1, all of which make it clear that it is the plural, different, fiber properties that result in the production of both hydrophilic and hydrophobic areas.

Paragraph 0013, in particular, refers to areas 5a and 5c in FIG. 2 as being "made of different *fibers* from one another, lighter areas 5a being hydrophobic and darker areas 5b hydrophilic." (emphasis supplied) Hagfors points out that the web adheres to the darker areas 5b, but "tends to detach from areas 5a due to their water-repellent properties." Paragraph 0013 leaves no doubt that Hagfors relies on the presence of hydrophilic and hydrophobic fibers at the belt surface, and that it is the fibers themselves that afford the hydrophilic and hydrophobic areas of the belt surface.

Examples 1 and 3 both refer to PE (hydrophobic polyethylene) and PA (hydrophilic polyamide) fiber mixtures. Only in Example 2 do Hagfors et al. refer to a fiber composition that is apparently entirely hydrophilic. There, they cite a fiber mixture comprising 31% 3.1 dtex PA fibre, 33% 11 dtex PA fibre, and "33% of PA fibre." The wording used

in the example makes no sense. Why would one intending to make reference to three different kinds of polyamide fibers in an example, refer to two of them by specifying their linear densities, and leave out the linear density of the third altogether? The probable explanation, and one that is consistent with the rest of the description, is that the reference to "33% of PA fibre" is an error and that something else, such as 33% of PE fibre, was intended.

In any event, a person skilled in the art, reading the specification of Hagfors et al. as a whole, would understand it as describing mixtures of hydrophilic and hydrophobic fibers, and would not perceive it as describing a belt in which "substantially all of the fibers exposed on . . .[the] wet paper web side surface are hydrophilic".

In summary, the subject matter of the claims as presently amended is not described in Hagfors et al. and the claims are therefore not anticipated. Reconsideration and withdrawal of the rejection under 35 U.S.C. §102 are respectfully requested.

Respectfully submitted,
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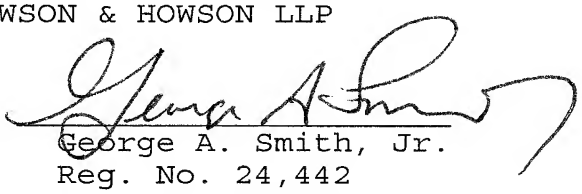
By 

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